

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

JASON A. MAHE,

Plaintiff

v.

PERRY RUSSELL, *et al.*,

Defendants

Case No. 3:21-cv-00300-MMD-WGC

**ORDER**

**I. DISCUSSION**

On July 14, 2021, Plaintiff, an inmate in the custody of the Nevada Department of Corrections (“NDOC”), submitted a document titled Preliminary Injunction (ECF No. 1-1). Plaintiff has not filed a complaint.

Under Federal Rule of Civil Procedure 3, “[a] civil action is commenced by filing a complaint with the court.” Fed. R. Civ. P. 3. As such, the Court grants Plaintiff a **one-time** opportunity until **September 17, 2021** to submit a complaint to this Court.

Absent unusual circumstances, the Court will not grant any further extensions of time. If Plaintiff is unable to file a complaint or before **September 17, 2021**, this case will be subject to dismissal without prejudice for Plaintiff to file a new case with the Court when Plaintiff is able to file a complaint. A dismissal without prejudice means Plaintiff does not give up the right to refile the case with the Court, under a new case number, when Plaintiff is able to file a complaint.

**II. CONCLUSION**

For the foregoing reasons, IT IS ORDERED that Plaintiff will submit a complaint to this Court on or before **September 17, 2021**.

IT IS FURTHER ORDERED that the Clerk of the Court will send to Plaintiff the approved form for filing a 42 U.S.C. § 1983 complaint and instructions for the same. The Clerk of the Court will also send Plaintiff a copy of his Preliminary Injunction. (ECF No. 1-1).

1 IT IS FURTHER ORDERED that, if Plaintiff does not file a complaint on or before  
2 **September 17, 2021**, this case will be subject to dismissal without prejudice for Plaintiff  
3 to refile the case with the Court, under a new case number, when Plaintiff is able to file a  
4 complaint.

5 DATED: July 19, 2021

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7 UNITED STATES MAGISTRATE JUDGE  
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